9/29/83

BEFORE THE UNITED STATES

ENVIRONMENTAL PROTECTION AGENCY

In the matter of:	)	
	)	
INTERSTATE UNIFORM SERVICES, CORP.	)	Docket No.83-1006
15 Olympia Avenue	)	
Woburn, MA	)	
	)	
Respondent	)	
	)	
Proceeding under Section 3013 of the Resource Conservation and Recovery Act, 42 U.S.C. §6934	)	CONSENT ORDER

ORDER REQUIRING SUBMISSION OF PROPOSAL FOR SAMPLING, ANALYSIS, MONITORING AND REPORTING

The following FINDINGS are made and ORDER issued pursuant to the authority of Section 3013 of the Resource Conservation and Recovery Act, (hereinafter "RCRA"), 42 U.S.C. §6934, as vested in the Administrator of the United States Environmental Protection Agency (hereinafter "EPA"), and delegated to the Regional Administrator.

FINDINGS

1. For approximately three years, EPA has been conducting numerous studies throughout the City of Woburn, Massachusetts, for purposes of investigating the release, storage, treatment and/or disposal of hazardous wastes.

2. One such focus of EPA's investigation is the aquifer that supplies drinking water to City of Woburn Wells G and H, two water supply wells that were opened in 1964 and 1966, respectively, and closed in May, 1979 due to volatile organic contamination.

3. On March 8, 1982, Ecology and Environment, Inc., the Region I Field Investigation Team, submitted a report to EPA Region I entitled: "Chlorinated Solvent Contamination of the Groundwater - East Central Woburn, Massachusetts" (hereinafter "FIT Report"). The FIT Report stated, inter alia, that the four chlorinated organic solvents found in highest observed concentrations in water from Wells G and H were: trichloroethylene; tetrachloroethylene; trans-1,2-dichloroethylene; and 1,1,1-trichloroethane.

4. The FIT Report stated that tetrachloroethylene was found in the aquifer supplying Wells G and H in concentrations as high as 240 parts per billion. Tetrachloroethylene is designated a hazardous waste and a hazardous waste constituent pursuant to 40 C.F.R. §§261.11, 261.34, and Appendix VIII of 45 Fed. Reg. 33121, 33124, and 33132 (May 19, 1980) and a hazardous substance pursuant to Section 101(14) of CERCLA, 42 U.S.C. §9601(14).

5. Section 105(8) of CERCLA requires the designation of at least four hundred of the highest priorities among the known releases or threatened releases of hazardous substances throughout the United States. Wells G and H were listed in the proposed National Priorities List published on December 30, 1982, 47 Fed. Reg. 58476.

6. The primary objective of the FIT Report was to preliminarily identify potential source areas of the four chlorinated organic solvents present in water from Wells

G and H. The FIT Report preliminarily identifies a potential source area of certain organic solvents, particularly tetrachloroethylene, as coming from an area up groundwater gradient of Wells G & H. The FIT Report further identifies hazardous constituents in water from well number W6, located approximately 300 feet from property used by Interstate Uniform Services Corporation (hereinafter "Interstate" and "Property").

7. The FIT Report, in a section entitled "Evaluation of Analytical Data", states as follows:

> Figure 4-3, indicates a high concentration (>200 ppb) of tetrachloroethylene at well W-6 and decreasing levels southward to well 6. As with well W-5, the source area of the contamination most likely lies to the north or northeast with contamination migrating through bedrock fractures.

8. Between aproximately 1967 and 1969, years when Wells G and H were in service, Interstate operated a small dry-cleaning operation at the Property. Tetrachloroethylene was used in this operation. From time to time between approximately 1977 and February 1983, Interstate stored for transshipment tetrachloroethylene which was kept in a 5,000 gallon tank located inside a building on the Property.

9. On May 9, 1983, an ORDER Requiring Submission of Proposal for Sampling, Analysis, Monitoring, and Reporting was issued to Interstate pursuant to the authority of Section 3013 of RCRA, 42 U.S.C. §6934.

In accordance with Section 3013 (c) of RCRA, 42 U.S.C. §6934(c), a conference was held; EPA, Interstate, and the Massachusetts Department of Environmental Quality Engineering participated in the conference.

DETERMINATION

Based upon the above Findings of Fact, EPA has determined that releases of tetrachloroethylene from Interstate's property may have occurred and may continue to occur and may have presented and may present a substantial hazard to human health or the environment within the meaning of §3013 of RCRA, 42 U.S.C. §6934.

Based upon the above Findings of Fact and its own investigation, Interstate specifically denies the determination as made by EPA.

In an attempt to resolve this matter constructively without litigation, the following phased ORDER is agreed to by EPA and Interstate.

ORDER

Based on the foregoing, it is hereby ORDERED:

1. The prior Findings, Determination and Order issued on May 9, 1983 by EPA to Interstate are superseded by the Findings, Determination, and Order set forth herein.

2. On or before September 30, 1983, Interstate shall submit to EPA a Site Source Assessment as described in Appendix A attached hereto and made a part hereof.

3. On or before October 1, 1983, Interstate shall commence implementation of a groundwater monitoring program (hereinafter "Monitoring Program") as described in Appendix B attached hereto and made a part hereof.

4. Within thirty days of its completion of the Monitoring Program, Interstate shall provide EPA with a Final Report presenting and interpreting the results of all investigations related to the Monitoring Program. Notwithstanding the submission of the Final Report, Interstate shall provide all raw analytical data to EPA immediately upon receipt.

5. If the results of the Monitoring Program show findings of tetrachloroethylene concentrations greater than 50 parts per billion in any one of the wells examined pursuant to the Monitoring Program, Interstate's obligations under this CONSENT ORDER shall terminate.

However, neither the termination of this CONSENT ORDER nor the results of the well Monitoring Program shall constitute any waiver or release from liability. Nothing in this paragraph prevents EPA from requiring further studies, or from taking any other action, pursuant to any environmental law.

6. If results of the Monitoring Program show no findings of tetrachloroethylene concentrations greater than 50 parts per billion in one or more of the wells, Interstate

shall submit to EPA for its approval a Proposal concerning an evaluation of and a recommendation as to alternatives for further work by Interstate. Such Proposal shall be provided to EPA within thirty days of Interstate's submittal of its Final Report. Upon approval by EPA, such Proposal shall be attached to this document as Apendix C and made a part hereof.

7. EPA and/or its contractors may overview Interstate's field investigations pursuant to this CONSENT ORDER. Interstate shall provide EPA and/or its contractors with reasonable access to its property to do so.

8. Failure or refusal to comply with the terms of this ORDER may result in EPA's commencement of a civil action to require compliance and to assess a civil penalty of up to $5,000 for each day during which such failure or refusal occurs.

DISPUTE RESOLUTION

In all instances in which EPA requires certain actions pursuant to this CONSENT ORDER or disapproves any Plans or Proposals submitted by Interstate, Interstate may request a conference with EPA to discuss any objections it may have to these actions. Interstate may submit proposed modifications, additions and/or deletions and the reasons therefor. If EPA and Interstate are unable to resolve their differences within thirty days, the

terms of this CONSENT ORDER shall cease. EPA shall retain all rights to seek further action as it deems necessary, by proceeding in accordance with 42 U.S.C. §6934(d), issuing further administrative orders or seeking judicial recourse.

Nothing in this CONSENT ORDER shall be construed to limit in any way Interstate's rights to contest any such further action by EPA.

INTERSTATE UNIFORM SERVICES CORP.

By: Aldo Croatti
Aldo Croatti, President

Date: Sept 16, 1983

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

By: Paul G Keough Acting
Michael R. Delano
Regional Administrator

Date: Sept 29, 1983

APPENDIX A

The Site Source Assessment will consist of a thorough review of all available information relevant to the Site and its potential for being a source of contamination of wells "G" and "H" by tetrachloroethylene (the "Contamination"). It will be performed by Environmental Research and Technology, Inc. (hereinafter "ERT").

The Site Source Assessment procedure will be undertaken in two parts. The first part will be a full development of Site history. Relevant past land use will be investigated and documented to establish the potential for prior Site owner contribution to the Contamination. ERT engineers and geologists will conduct a detailed plant and Site-area inspection to reveal any existing potential sources and migration pathways (such as surface drainage, culverts, catch basins, and ditches) of tetrachloroethylene originating at the Site. To this end, the inspection will also entail a review of relevant paving activities and maintenance, processes, inventory of process reagents and waste streams and materials delivery, storage and handling operations. Particular attention will be given to waste handling, storage and disposal procedures concerning tetrachloroethylene at the Site. Records of these plant activities will be searched for consistency and evidence of on-Site spills, leaks or disposal of tetrachloroethylene. Selected employees will be interviewed to corroborate observed or recorded information and to elicit discussion of unrecorded or past practices and

occurrences concerning tetrachloroethylene at the Site. Further corroboration will be sought through examination of public records such as building permits, construction plans and specification, aerial photographs, plant and sewer layouts, and equipment design and specifications (storage tank and dry-cleaning machinery).

The second part of the Site Source Assessment is a review of hydrogeological and analytical data. This will be done by critically reviewing the Field Investigation Team (FIT) report and other, related studies. This review will consist of checking both hydrogeological and analytical data collection methods, checking cited references and researching additional references. The analytical data produced from the various sampling rounds will be compared. Comparing these data will reveal trends in the Contamination concentrations and discrepancies that may be the result of sampling, handling or analytical procedures. This critical review of existing information will be the basis for a reinterpretation of hydrogeological conditions in the one square mile area covered by the FIT report (the "Study Area"). New geologic cross-sections and maps of the Study Area will be constructed which will in turn form the basis for depicting the pattern of tetrachloroethylene occurrence in the groundwater in the Study Area.

A Site Source Assessment report will be written that will describe the methods of the Site characterization including the synthesis and interpretation of data, and will develop conclusions regarding the adequacy of the existing data to discern whether the Site is a source of the Contamination. This report will be submitted to EPA.